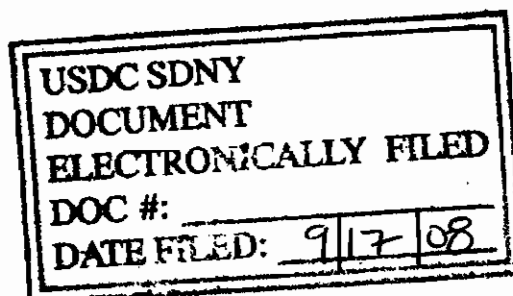


Law Offices of Sheldon H. Gopstein, Esq.**130 West 42nd Street, Suite 410****New York, NY 10036****MEMO ENDORSED****tel. 212-363-2400****fax 212-363-3313****e-mail: sglaw@optonline.net**

September 10, 2008

VIA FAX

The Honorable Denny Chin
United States District Judge
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street, Room 1020
New York, NY 10007



**Re: RBCI Holdings, Inc. f/k/a Rheingold Brewing Company, Inc.
v. Drinks Americas Holdings, Ltd.
Case No. 07-cv-02877**

Dear Judge Chin:

The undersigned represents defendant Drinks Americas Holdings, Ltd. in the above-captioned matter. I write to request an extension of the time in which to complete discovery and to adjourn the forthcoming pre-trial conference. Currently the end date for all discovery is September 19, 2008 and a pre-trial conference is scheduled before your Honor on September 19, 2008 at 9:30 AM.

Discovery is incomplete on both sides. At present, plaintiff has failed to produce any documents in response to defendant's document requests nor has plaintiff answered defendant's interrogatories. In addition, counsel for plaintiff has failed to cooperate in even scheduling dates for the depositions of either plaintiff or defendant. Defendant's notice of deposition, interrogatories and document requests were served on plaintiff's counsel on June 18, 2008. Soon thereafter, Messrs. Warshavsky and Oliver changed firms without immediately informing the undersigned of their whereabouts. I understand that there were delays associated with the move into new offices, however, my Of Counsel, Christelle Clement, has been trying without success to negotiate a schedule for production of documents and depositions since the beginning of August. Each time we contact plaintiff's attorney, he informs us that he is waiting to hear from his client or that his client is preparing a settlement offer, and he promises a forthcoming answer which never comes.

Whether plaintiff's counsel is actually having communication problems with his client or deliberately attempting to stall discovery we do not know, but defendant is clearly

The Honorable Denny Chin
Page Two

being prejudiced by plaintiff's failure to comply with its discovery obligations. Accordingly, we respectfully request that the Court extend the deadline to complete all discovery to November 28, 2008.

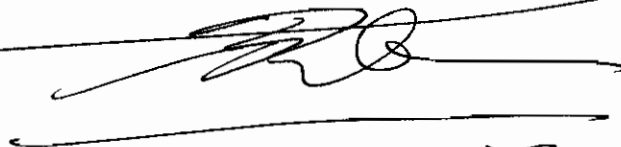
Additionally, we respectfully ask the Court to adjourn the pre-trial conference currently scheduled for September 19, 2008 to December 1, 2008 or such other date as may be convenient to the Court.

Respectfully yours,


Sheldon H. Kopstein

cc. Oren Warshavsky, Esq. (fax: 212-589-4201)
Jason Oliver, Esq. (same)

(10) All discovery -- fact and expert -- shall be completed by 11/¹⁴/~~15~~/08. FINAL. The PTC is adjourned until 11/¹⁴/~~15~~/08 at 11 a.m. Defendants shall respond to plaintiff's outstanding discovery SO ORDERED.



WPT
9/17/08

(10) requests five
within five
business days
hereof.